

1<sup>st</sup> reading \_\_\_\_\_  
P&Z Action \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_  
Voted On \_\_\_\_\_  
Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_  
PASSED \_\_\_\_\_ DEFEATED \_\_\_\_\_

**ORDINANCE NO. 2017-31  
(AS AMENDED)**

**AN ORDINANCE  
GRANTING CERTAIN VARIANCES TO RUKSHMANI, INC.  
FOR THE PROPERTY LOCATED AT 3795 ORANGE PLACE**

WHEREAS, the Charter of Orange Village, Article III, Section 9(g), provides that Council may grant variances after public hearing where there is substantial and unreasonable hardship in carrying out the spirit and intent of the Zoning Code; and

WHEREAS, Rukshmani, Inc. is the owner (the "Owner") of the property located 3795 Orange Place, Orange Village, Ohio (the "Property"); and

WHEREAS, the Property is located in the PPDD Zoning District and pursuant to Ordinance No. 2017-26 the Property may be used as though it were zoned in the U-4A Zoning District; and

WHEREAS, the Owner intends to use the property for two motels; and

WHEREAS, Section 1156.05 of the Codified Ordinances requires every property used as a motel in a U-4A Zoning District to have parking lots no closer than thirty feet (30') from the street right of way and no closer than ten feet (10') from abutting non-residential properties; and

WHEREAS, Owner intends to construct a parking lot that will be setback zero feet (0') from the property line on the northern boundary line of the Property and will be setback twelve feet (12') from the street right of way on western side of the Property, and is therefore requesting a variance of ten feet (10') from the northern boundary line of the Property and a variance of eight feet (8') from the street right of way on the western side of the Property; and

WHEREAS, the Planning and Zoning Commission has recommended to Council that the requested variances be granted; and

WHEREAS, this Council believes it is in the best interest of Orange Village to grant the requested variances; and

WHEREAS, this Ordinance was referred to the Planning and Zoning Commission for recommendation and report; and

WHEREAS, a public hearing has been held regarding this matter; and

WHEREAS, Council has adopted conclusions of fact regarding the requested variance.

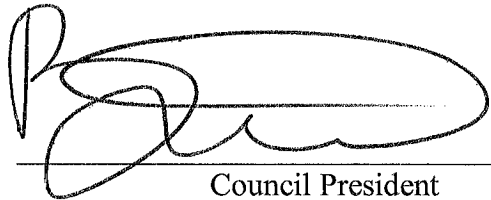
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That this Council hereby grants and approves Owner's requests for a variance of ten feet (10') from the parking lot setback requirement in Section 1156.05 of the Codified Ordinances so that the Owner may construct a parking lot no closer than zero feet (0') from the northern boundary line of the Property, and a variance of eight feet (8') from the parking lot setback requirement in Section 1156.05 of the Codified Ordinances so that the Owner may construct a parking lot no closer than twelve feet (12') from the street right of way on the western side of the Property.

SECTION 2. That actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 3. That this Ordinance shall be in full force and effect at the earliest time permitted by law.

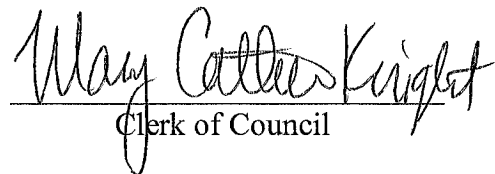
PASSED: Nov. 8, 2017

  
\_\_\_\_\_  
Council President

Submitted to the Mayor for approval  
on this 8 day of Nov., 2017

Approved by the Mayor this  
8 day of Nov., 2017

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

  
\_\_\_\_\_  
Mayor